

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Baiyang WANG

Appl. No.: 10/816,938

Filed: April 5, 2004

For: **Tissue Factor Antibodies and Uses  
Thereof**

Confirmation No.: 3825

Art Unit: 1644

Examiner: Szperka, Michael Edward

Atty. Docket: 1861.1670002/JUK/WBC

**Declaration Concerning the Deposit of a Biological Material**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

I, the undersigned, Alan L. Koller, declare and state as follows:

1. A hybridoma cell line (TF260), was deposited under the terms of the Budapest Treaty on May 15, 2003. The deposit was made at the American Type Culture Collection, now located at 10801 University Boulevard, Manassas, Virginia 20110-2209, and was given accession number PTA-5197. (Exhibit A)

2. A hybridoma cell line (TF196), was deposited under the terms of the Budapest Treaty on May 15, 2003. The deposit was made at the American Type Culture Collection, now located at 10801 University Boulevard, Manassas, Virginia 20110-2209, and was given accession number PTA-5196. (Exhibit A)

3. A hybridoma cell line (TF278), was deposited under the terms of the Budapest Treaty on December 3, 2003. The deposit was made at the American Type Culture Collection, now located at 10801 University Boulevard, Manassas, Virginia 20110-2209, and was given accession number PTA-5676. (Exhibit B)

4. A hybridoma cell line (TF392), was deposited under the terms of the Budapest Treaty on December 3, 2003. The deposit was made at the American Type Culture Collection, now located at 10801 University Boulevard, Manassas, Virginia 20110-2209, and was given accession number PTA-5677. (Exhibit B)

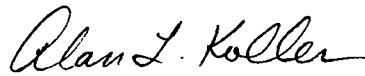
5. A hybridoma cell line (TF9), was deposited under the terms of the Budapest Treaty on December 3, 2003. The deposit was made at the American Type Culture Collection, now located at 10801 University Boulevard, Manassas, Virginia 20110-2209, and was given accession number PTA-5674. (Exhibit B)

6. Assurance is hereby given that the hybridoma cell lines deposited as described herein are the hybridoma cell lines described in the specification as filed.

7. Assurance is hereby given that all restrictions on the availability to the public of the deposited hybridoma cell lines will be irrevocably removed upon the granting of a patent, subject to 37 C.F.R. § 1.808(b). In accordance with 37 C.F.R. § 1.807(a), assurance is hereby given that the deposit will be maintained and that it will be replaced if it should ever become unviable.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the present patent application or any patent issued thereon.

Respectfully submitted,



Alan L. Koller, Ph.D.  
Associate General Counsel

Date: April 10, 2008

PURDUE PHARMA L.P.  
One Stamford Forum  
Stamford, CT 06901

# ATCC

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

## BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

### INTERNATIONAL FORM

#### RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3 AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.

To: (Name and Address of Depositor or Attorney)

Purdue Pharma L.P.  
Attn: Baiyang Wang  
6 Cedar Brook Drive  
Cranbury, New Jersey 08512

Deposited on Behalf of: Purdue Pharma L.P.

Identification Reference by Depositor:

Hybridoma Cell Line from Balb/c mouse: TF196  
Hybridoma Cell Line from Balb/c mouse: TF260

Patent Deposit Designation

PTA-5196  
PTA-5197

The deposits were accompanied by:    a scientific description, a proposed taxonomic description indicated above. The deposits were received May 15, 2003 by this International Depository Authority and have been accepted.

AT YOUR REQUEST:   X   We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested May 20, 2003. On that date, the cultures were viable.

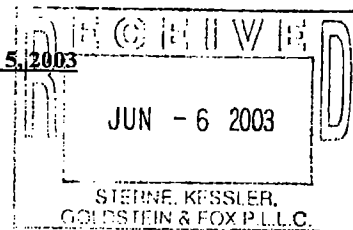
International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Marie Harris  
Marie Harris, Patent Specialist, ATCC Patent Depository

cc: Judith U. Kim Esq.  
Docket No. 1861.1670000/JUK/PRK

Date: June 5, 2003



TWJ  
JUK

6/6  
JUK 6/9

# ATCC

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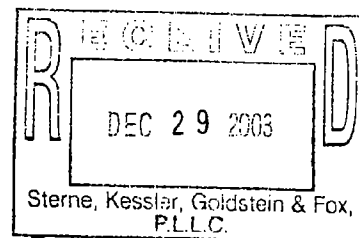
**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF  
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE**

**INTERNATIONAL FORM**

**RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
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To: (Name and Address of Depositor or Attorney)

Purdue Pharma, L.P.  
Attn: Baiyang Wang  
6 Cedar Brook Drive  
Cranbury, NJ 08512



Deposited on Behalf of: Purdue Pharma L.P.

**Identification Reference by Depositor:**

Hybridoma Cell Line from Balb/c mouse: TF9  
Hybridoma Cell Line from Balb/c mouse: TF277  
Hybridoma Cell Line from Balb/c mouse: TF278  
Hybridoma Cell Line from Balb/c mouse: TF392

**Patent Deposit Designation**

PTA-5674  
PTA-5675  
PTA-5676  
PTA-5677

The deposits were accompanied by:     a scientific description, a proposed taxonomic description indicated above. The deposits were received December 3, 2003 by this International Depository Authority and have been accepted.

AT YOUR REQUEST: ☒ We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

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The viability of the cultures cited above was tested December 10, 2003. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Marie Harris  
Marie Harris, Patent Specialist, ATCC Patent Depository

Date: December 23, 2003

cc: Judith U. Kim, Esq.  
Ref: Docket No. 1861.1670000/JUK/PRK